



Express Mail Label No. EL 989611558 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lee et al.

Docket No: 375461-002T1C4 (355315)

Serial No.: 10/788,836

Confirmation No.: 7978

Filed: February 26, 2004

Group Art Unit: 1637

For: ENERGY TRANSFER DYES WITH
ENHANCED FLUORESCENCE

Examiner: J. Riley

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97(c)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §§ 1.97 and 1.98, Applicant submits herewith patents, publications and/or other information (listed below and/or on the attached Substitute Form PTO 1449) that may be material to the examination of the captioned application, and in respect of which there may be a duty of disclosure as set forth in 37 CFR § 1.56, for consideration and to be made of record in the captioned application by the U.S. Patent and Trademark Office.

In accordance with 37 CFR 1.98, copies of the cited references are enclosed.

Cite Nos. B1-B7, B11-B12, B19, B23, B29, C30, C57 and C58 were previously cited in an Information Disclosure Statement filed November 21, 2005, but were not considered by the Examiner, either because the citation did not include a date (Cite No. C30) or because copies could not be found in the files of the parent application(s) (Cite Nos. B1-B7, B11-B12, B19, B23, B29, C57 and C58).

It is noted that Cite Nos. B1-B7 and B19 are not in the English language. Translations of Cite Nos. B2, B6, and B7 are included with the references. The abstract of Cite No. B19 is in the English language and the structural depictions are clear. Accordingly, no translation is provided.

Cite Nos. B1 and B3-B5 have English language equivalents, which are also being cited herein. Accordingly, translations are not provided. The following table correlates these Cite Nos. with their English-language equivalents:

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08/03/2006 MAHMEED1

Cite No.	Equivalent
B1	US 3,679,358 (cited as A48 in the attached Form 1449)
B3	UK 1,286,885 (cited as B30 in the attached Form 1449)
B4	UK 1,273,454 (cited as B31 in the attached Form 1449)
B5	US 4,647,675 (cited as A49 in the attached Form 1449)

Also being cited in this Information Disclosure Statement is US 6,355,440 (Cite No. A47). This '440 patent is the grandparent of the captioned application.

This Information Disclosure Statement is filed under CFR § 1.97(c) after the period specified by CFR § 1.97(b), but before the mailing date of any of a final Office Action under 37 CFR § 1.113, a notice of allowance under 37 CFR § 1.311, or an action that otherwise closes prosecution in the application. Authorization for payment of fees required by 37 CFR § 1.17(p) is provided below.

As specified in 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made.

The filing of this Information Disclosure Statement shall not be construed as a representation that no other material information as defined in 37 CFR § 1.56(a) exists.

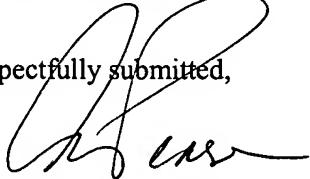
As specified in 37 CFR § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any information cited herein is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

Moreover, while the patents, publications and/or other information disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, the Disclosure is not intended to constitute an admission that any patents, publications and/or other information included or referred to herein is "prior art" to the captioned application unless specifically designated as such.

It is respectfully submitted that this Information Disclosure Statement is in compliance with 37 CFR § 1.98 and MPEP § 609. Accordingly, consideration of the foregoing and prompt return of a copy of the enclosed Substitute form PTO 1449 with the Examiner's initials in the left column in accordance with MPEP § 609 are respectfully requested.

The Commissioner is authorized to charge the fee of \$180.00 set forth in 37 CFR § 1.17(p) to Dechert LLP Deposit Account No. 50-2778 (**Order No. 375461-002T1C4(355315)**). No fees beyond those specified by 37 CFR § 1.17(p) are believed due in connection with the Information Disclosure Statement. However, the Commissioner is authorized to charge any additional required fees, or credit any overpayment, to this same deposit account, references the same Order No.

Respectfully submitted,


Ann M. Caviani Pease
Reg. No. 42,067

Date: July 31, 2006

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Express Mail Label No. EL989611558 US

Substitute for form 1449A/PTO		<i>Complete if Known</i>	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	10/788,836
		Filing Date	February 26, 2004
		First Named Inventor	Linda G. Lee
		Group Art Unit	1637
		Examiner Name	J. Riley
Sheet	1	of	2
		Attorney Docket No.	375461-002T1C4 (355315)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of

2

Complete if Known

Application Number	10/788,836
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Group Art Unit	1637
Examiner Name	J. Riley

Part No. 375461-002T1C4 (355315)

U.S. PUBLISHED DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Date of Publication of Cited Document MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶	
		Office ³	Number ⁴	Kind Code ⁵ (if known)			Yes	No
	B1		CH 12433/70		02-15-1973	Hoechst AG		
	B2		DE 108347		11-29-1898		X	
	B3		DE 2049503		04-22-1971	Fuji Photo Film Co., Ltd.		
	B4		DE 2049527		04-22-1971	Fuji Photo Film Co., Ltd.		
	B5		DE 3425631	A1	01-1601986	BASF AG	X	
	B6		DE 45263		11-13-1887		X	
	B7		DE 47451		11-13-1887		X	
	B11		EP 0 252 683		01-13-1988	DuPont		
	B12		EP 0 299 943	A2	07-29-1987	Molecular Biosystems, Inc.		
	B19		JP 0410/559	A	09-04-1992	Kao Corp.		
	B23		WO 91/07507		05-30-1991	Applied Biosystems, Inc.		
	B29		WO 94/05688		03-17-1994	Applied Biosystems, Inc.		
	B30	UK	1286885		08-23-1972	Fuji Photo Film Co., Ltd.		
	B31	UK	1273454		05-10-1972	Fuji Photo Film Co., Ltd.		

Examiner Signature		Date Considered	
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***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation or translation of abstract is attached.

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Sheet	2	of	2	Attorney Docket No.	375461-002T1C4 (355315)

OTHER DOCUMENTS - NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ²	
			Yes	No
	C30	HAUGLAND, R.P., et al., "New Dyes for DNA Sequencing" (Progress Report) December 31, 1990.		
	C57	"Molecular Probes Handbook of fluorescent probes and research chemicals," 1992-1994, 5 th Ed., Molecular Probes, Inc.		
	C85	TIAN, H. et al., "Solvent Effect on the triplet lifetime of some rhodamine dyes," <i>Dyes. Pigm.</i> , 1994, 26: 167-174.		

Examiner Signature		Date Considered	
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Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.
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